IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 17TH AUGUST 2006 / 26TH SRAVANA 1928

Bail Appl..No. 4787 of 2006

CRIME NO. 244/2006 OF NADAKKAVU POLICE STATION

PETITIONER/ACCUSED

HARIS.P.V., S/O.P.V.KHALID,
1/2635/A, SANTHI NAGAR COLONY,
PUTHIYANGADI, KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
NADAKKAVU POLICE STATION.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4787/2006

DATED THIS THE 17TH DAY OF AUGUST, 2006

O R D E R

The petitioner is the second accused, in crime No.244/2006 of Nadakkavu Police Station, for the offence punishable under Section 376 IPC. It is alleged that the petitioner had committed rape on a sixteen year old girl. Hence, on the complaint, crime had been registered against him. The petitioner remains in judicial custody from 17.7.2006, as he was arrested by the Nadakkavu Police Station authorities. Hence this application, under Section 439 Cr.P.C.

2. Considering the progress of the investigation and also the completion of the medical examination of both the victim as well as the petitioner, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond

for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-IV, Kozhikode.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Wednesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 23.8.2006, and thereafter, on the first working day of every month, till the final report is filed by the Investigating Officer.

(c). The petitioner shall not leave the State of Kerala, until the final trial and disposal of the Sessions Case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs